

UNITED STATES DISTRICT COURT

District of Minnesota

BILL OF COSTS

V.

Case Number:

Judgment having been entered in the above entitled action \_\_\_\_\_ against \_\_\_\_\_ ,  
the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ _____
Fees for service of summons and subpoena .....	_____
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case .....	_____
Fees and disbursements for printing .....	_____
Fees for witnesses (itemize on reverse side) .....	_____
Fees for exemplification and copies of papers necessarily obtained for use in the case .....	_____
Docket fees under 28 U.S.C. 1923 .....	_____
Costs as shown on Mandate of Court of Appeals .....	_____
Compensation of court-appointed experts .....	_____
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	_____
Other costs (please itemize) .....	_____
TOTAL	\$ _____

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: \_\_\_\_\_ .

Signature of \_\_\_\_\_

Name of Attorney: \_\_\_\_\_

For: \_\_\_\_\_ Date: \_\_\_\_\_  
Name of Claiming Party

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

By: \_\_\_\_\_  
Clerk of Court Deputy Clerk Date



# UNITED STATES DISTRICT COURT

## District of Minnesota

### PROCEDURE FOR TAXING COSTS

Costs shall be submitted on Form AO-133 which is provided by the Administrative Office of the United States Courts for this purpose. The form can be requested from the Clerk's Office, United States District Court. The completed AO-133 form shall be submitted with substantiating documentation to the Minneapolis Clerk's office.

Costs generally are not taxed and the Bill of Costs should not be submitted until the following conditions are met:

1. **the time for filing of the Notice of Appeal has expired,**
2. **a decision on post-trial motions has been made,**
3. **the appeal has been decided on the merits or dismissed, or**
4. **Writ of Certiorari is denied and opinion of the Supreme Court is filed.**

#### Office Procedure

A briefing schedule is sent to counsel of record when the Bill of Cost is filed. An appearance before the Clerk is not required. Costs will be taxed as submitted if objections are not filed. If the matter of costs is resolved prior to taxation by the Clerk, written notification of disposition shall be submitted.

#### **General Information**

<b>Taxation of Costs on Appeal</b>	See FRAP, Rule 39(d) & (e). <b>NOTE: Costs granted at the Court of Appeals level are entered in the judgment rolls upon receipt of the Mandate in the District Court. DO NOT INCLUDE THESE COSTS IN THE AO-133 BILL OF COST FORM.</b>
<b>Attorney Fees</b>	Do not incorporate into the Bill of Costs; Refer LR54.3 and 28 U.S.C. § 2412.
<b>Substantiating Documentation</b>	Copies of receipts, statements, bills, checks, etc. must be submitted in support of costs and explanation of necessity for cost items claimed.
<b>Deposition Costs</b>	Generally allowed only when read into the record or received as evidence.
<b>Exhibits</b>	Large or unusual expenditures, such as models, must be approved by the court prior to trial or preparation, or they are generally not allowed. Exhibits must be identified by number if costs are claimed.
<b>Copies</b>	Generally not allowed <u>unless</u> received as an exhibit during trial (number identification). Certified or exemplified copies are generally allowed.
<b>Costs Differentiated from Fees and Expenses</b>	FRCP 54 and Wright & Miller, §§ 2666 and 2677.
<b>Expert Witnesses</b>	The Clerk is authorized to tax only the statutory witness fee of \$40 per day; subsistence if an overnight stay is required (effec. 7/21/00): Minneapolis \$141; St. Paul \$141; Duluth 6/1 to 10/31 \$117 and 11/1 to 5/31 \$98; Rochester \$106; Anoka County \$99; Dakota County \$109; Fergus Falls \$85.00 and \$.345 per mile round trip travel (eff. 2/12/01). See 28 U.S.C. § 1821. Questions should be directed to the appropriate division.
<b>Air Travel</b>	28 U.S.C. § 1821(c)(1): utilize common carrier at the most economical rate available. Receipt(s) must be furnished.

Reference: FRCP Rule 54(d); 28 U.S.C. §§ 1920, 1923, and 192 Federal Practice and Procedure, Wright & Miller Vol X.

For Information on taxation of costs, contact: Amy Leonetti, Pro Se Law Clerk, Minneapolis Clerk's Office, 612-664-5035  
Susan Anderson, Division Manager, Duluth Clerk's Office 218-529-3502

(costspro.f.wpd)

(9/01)